

111TH CONGRESS }
1st Session

HOUSE OF REPRESENTATIVES

{ REVIEW NO.
09-4486

**OFFICE OF CONGRESSIONAL ETHICS
UNITED STATES HOUSE OF
REPRESENTATIVES**

Report and Findings

Transmitted to the
Committee on Standards of Official Conduct
on December 2, 2009
and released publicly pursuant to H. Res. 895 of the
110th Congress as amended



December 2009

House of Representatives Office of Congressional Ethics Review No. 09-4486

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OFFICE OF
CONGRESSIONAL ETHICS
BOARD

UNITED STATES HOUSE OF REPRESENTATIVES
ONE HUNDRED ELEVENTH CONGRESS

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Leo J. Wise, *Chief Counsel & Staff Director*
Kedric L. Payne, *Investigative Counsel*

REPORT

Review No. 09–4486

The Board of the Office of Congressional Ethics (hereafter “the Board”), by a vote of no less than four members, on November 20, 2009, adopted the following report and ordered it to be transmitted to the Committee on Standards of Official Conduct of the United States House of Representatives.

SUBJECT: Representative Peter Visclosky

NATURE OF THE ALLEGED VIOLATION: In fiscal year 2009, Representative Peter Visclosky authored several earmarks for clients of PMA Group, Inc. (hereafter “PMA”). During campaign cycles 2008 and 2010, Representative Visclosky received contributions to his campaign committee and Leadership PAC from PMA’s PAC, PMA employees, the PACs of PMA clients for whom he authored earmarks, and the employees of those clients. In March 2008, Representative Visclosky solicited PMA clients for campaign contributions and provided them with special access to him and his staff one week before authoring their earmarks.

If Representative Visclosky solicited or accepted contributions or other items of value in exchange for or because of an official act, or solicited or accepted contributions or other items of value in a manner which gave the appearance that the contributions were linked to an official act, then Representative Visclosky may have violated 18 U.S.C. § 201(b) (Bribery), 18 U.S.C. § 201(c) (Illegal Gratuities), 5 U.S.C. § 7353 (*Gifts*), and House Rules and Standards of Conduct.

RECOMMENDATION: The Board of the Office of Congressional Ethics recommends that the Committee on Standards of Official Conduct further review the above allegations.

VOTES IN THE AFFIRMATIVE: 6

VOTES IN THE NEGATIVE: 0

MEMBER OF THE BOARD OR STAFF DESIGNATED TO PRESENT THIS REPORT TO THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT: Leo Wise, Staff Director & Chief Counsel.

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FINDINGS OF FACT AND CITATIONS TO LAW

Review No. 09–4486

On November 20, 2009, the Board of the Office of Congressional Ethics (hereafter the “Board” and the “OCE”) adopted the following findings of fact and accompanying citations to law, regulations, rules and standards of conduct (*in italics*). The Board notes that these findings do not constitute a determination of whether or not a violation actually occurred.

I. INTRODUCTION

A. SUMMARY OF ALLEGATIONS

1. There is probable cause to believe that Representative Visclosky solicited or accepted contributions or other items of value in exchange for or because of an official act, or solicited or accepted contributions or other items of value in a manner which gave the appearance that the contributions were linked to an official act. Because Representative Visclosky, his former Chief of Staff, and his former Appropriations Director, have declined to interview with the OCE, and because the OCE cannot compel their cooperation, the OCE is unable to determine whether there is a substantial reason to believe these allegations.¹

B. JURISDICTIONAL STATEMENT

2. The allegations that were the subject of this review concern Representative Visclosky, a Member of the United State House of Representatives from the 1st District of Indiana. The Resolution the United States House of Representatives adopted creating the Office of Congressional Ethics (hereafter “OCE”) directs that, “[n]o review shall be undertaken . . . by the board of any alleged violation that occurred before the date of adoption of this resolution.” The House adopted this Resolution on March 11, 2008. Because the conduct under review occurred after March 11, 2008, review by the Board is in accordance with the Resolution.

C. PROCEDURAL HISTORY

3. The OCE received a written request for a preliminary review in this matter signed by at least two members of the Board on July

¹ As per Rule 9 of the OFFICE OF CONGRESSIONAL ETHICS, RULES FOR THE CONDUCT OF INVESTIGATIONS 11 (2009), “in the event the Office is unable to obtain information necessary to reach that determination [that there is substantial reason to believe the allegations], but the Board does determine there is *probable cause* to believe the allegations, the Board may refer the matter to the Standards Committee for further review.” See also H. Res 895, 110th Cong. § 1(c)(2)(B) (2008) (as amended).

6, 2009. The preliminary review commenced on that date.² The preliminary review was scheduled to end on August 5, 2009.

4. At least three members of the Board voted to initiate a second phase review in this matter on August 5, 2009. The second phase review commenced on August 6, 2009.³ The second-phase review was scheduled to end on September 20, 2009.

5. The Board voted to extend the 45-day second phase review by an additional 14 days on September 17, 2009, as provided for under H. Res 895. Following the extension, the second-phase review was scheduled to end on October 5, 2009.⁴

6. The Board voted to refer the matter to the Committee on Standards of Official Conduct for further review and adopted these findings on November 20, 2009.

7. This report and findings in this matter were transmitted to the Committee on Standards of Official Conduct on December 2, 2009.

D. SUMMARY OF INVESTIGATIVE ACTIVITY

8. Due to the nature of the allegations in this review, the OCE's investigation required the collection of information from a number of sources.

9. The OCE reviewed publically available records of campaign contributions to the campaign committees of Members of the House Appropriations Subcommittee on Defense (hereafter "Defense Subcommittee") from recipients of earmarks during the 2008 and 2010 campaign cycles. The review included campaign contributions to the leadership political action committees (hereafter "PACs"), if any, of these Members.

10. Specifically, the OCE reviewed campaign contributions to these Members from donors that were affiliated with the lobbying firm of Paul Magliocchetti and Associates Group, Inc. (hereafter "PMA"), *i.e.*, contributions from the PMA PAC, PMA employees, the PACs of corporate clients of PMA (hereafter "PMA clients") and employees of PMA clients.

11. The OCE also reviewed campaign contributions to Members of the Defense Subcommittee from PACs of non-PMA clients, and employees of non-PMA clients.

12. Beyond Members of the Defense Subcommittee, the investigation included a review of campaign contributions from PMA clients and non-PMA clients to Representatives who are not on the Defense Subcommittee, but authored defense earmarks PMA clients and non-PMA clients.

13. The OCE requested information from forty PMA clients that received earmarks from Members of the Defense Subcommittee for fiscal years 2008 to 2010.

²A preliminary review is "requested" in writing by members of the Board of the OCE. The request for a preliminary review is "received" by the OCE on a date certain. According to H. Res. 895 of the 110th Congress (hereafter "the Resolution"), the timeframe for conducting a preliminary review is 30 days from the date of receipt of the Board's request.

³According to the Resolution, the Board must vote on whether to conduct a second-phase review in a matter before the expiration of the 30-day preliminary review. If the Board votes for a second-phase, the second-phase begins when the preliminary review ends. The second-phase review does not begin on the date of the Board vote.

⁴*Id.* at 1(c)(2)(A)(ii) (2008).

14. All of the PMA clients that the OCE contacted cooperated with the investigation, except for two.

15. Aeroflex and Kimball and Associates are the only PMA client that refused to cooperate with the investigation.

16. Thirty-eight PMA clients and Representatives' offices produced documents totaling approximately 200,000 pages. These PMA clients also made witnesses available for interviews upon request of the OCE.

17. Based on the information discovered during the review of the produced documents, the OCE interviewed twenty-six individual PMA client witnesses.

18. In addition, the OCE interviewed six witnesses who were formerly employed as lobbyists with PMA during the 2008 and 2010 campaign cycles.

19. In sum, the OCE requested and received documentary, and in some cases testimonial, information from the following sources:

- (1) 21st Century Systems, Inc.;
- (2) AAR Composites;
- (3) Advanced Acoustic Concepts;
- (4) Advanced Concepts & Technologies Intl.;
- (5) Aircraft Interior Products;
- (6) Applied Global Technologies;
- (7) Argon ST;
- (8) Boeing Corporation;
- (9) Carnegie Mellon University;
- (10) Coda Octopus Group;
- (11) Concurrent Technologies Corporation;
- (12) Conemaugh Health Systems;
- (13) Cryptek;
- (14) DDL OMNI Engineering;
- (15) DRS Technologies;
- (16) EM Solutions;
- (17) General Atomics;
- (18) General Dynamics;
- (19) Goodrich Corporation;
- (20) Innovative Concepts, Inc.;
- (21) ITT Corporation;
- (22) Lockheed Martin Corporation;
- (23) MobilVox;
- (24) NuVant Systems, Inc.;
- (25) Optimal Solutions & Technologies;
- (26) Parametric Technology Corporation;
- (27) Planning Systems Inc.;
- (28) Profile Systems;
- (29) Prologic, Inc.;
- (30) QTL Biosystems;
- (31) RaySat Antenna Systems;
- (32) Rockwell Collins;
- (33) Samueli Institute;
- (34) Sierra Nevada Corporation;
- (35) Teledyne Continental Motors, Inc.;
- (36) Teledyne Controls;
- (37) Windber Research Institute;
- (38) Xunlight Corporation;

- (39) Vice President, 21st Century Systems, Inc.;
- (40) Chief Administrative Officer, 21st Century Systems, Inc.;
- (41) Vice President for Communications, 21st Century Systems, Inc.;
- (42) PAC Treasurer, 21st Century Systems, Inc.;
- (43) General Manager, AAR Composites;
- (44) Chief Operating Officer, AAR Composites;
- (45) Chief Executive Officer, Applied Global Technologies;
- (46) Vice President, Applied Global Technologies;
- (47) PAC Treasurer, DRS Technologies;
- (48) President, DRS Technologies;
- (49) Chief Operating Officers, Optimal Solutions & Technologies;
- (50) Chief Executive Officer, Optimal Solutions & Technologies;
- (51) Director, Optimal Solutions & Technologies;
- (52) CEO, Samueli Institute;
- (53) Vice President, Sierra Nevada Corporation;
- (54) Congressional Affairs Director, Sierra Nevada Corporation;
- (55) Assistant to Business Development Director, Teledyne Continental Motors, Inc.;
- (56) Business Development Director, Teledyne Continental Motors, Inc.;
- (57) PAC Treasurer, Teledyne Controls;
- (58) General Manager, Teledyne Controls;
- (59) Vice President, Teledyne Controls;
- (60) Director of Contracts, Teledyne Controls;
- (61) Contract Administrator, Teledyne Controls;
- (62) Legislative Affairs Director, Teledyne Controls;
- (63) Associate General Counsel, Teledyne Controls;
- (64) President, Teledyne Controls;
- (65) PMA Lobbyist 1;
- (66) PMA Lobbyist 2;
- (67) PMA Lobbyist 3;
- (68) PMA Lobbyist 4;
- (69) PMA Lobbyist 5; and
- (70) PMA Lobbyist 6;

II. REPRESENTATIVE VISCLOSKY SOLICITED PMA CLIENTS FOR CAMPAIGN CONTRIBUTIONS AND PROVIDED THEM WITH SPECIAL ACCESS TO HIM AND HIS STAFF ONE WEEK BEFORE AUTHORIZING THEIR EARMARKS

A. APPLICABLE LAW, RULES, AND STANDARDS OF CONDUCT

20. 18 U.S.C. § 201(b)—*Bribery of public officials and witnesses*
“(b) *Whoever—*

(2) *being a public official or person selected to be a public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for:*

(A) *being influenced in the performance of any official act*
. . . .”

21. 18 U.S.C.A. § 201(c)—*Illegal Gratuities*

“(c) Whoever—

(1) otherwise than as provided by law for the proper discharge of official duty—

(B) being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of any official act performed or to be performed by such official or person”

22. “An illegal gratuity . . . may constitute merely a reward for some future act that the public official will take (and may have already determined to take), or for a past act that he has already taken.”⁵

23. *House Rules and Standards of Conduct*

“[T]he scope of the House standards of conduct in this area is broader than that of the criminal bribery statute . . . the House standards of conduct generally preclude any link between the solicitation or receipt of a contribution and a specific official action.”⁶

“Put another way, there are fundraising activities that do not violate any criminal statute but well may violate House standards of conduct.”⁷

“[T]here are certain proffered campaign contributions that must be declined, and certain fundraising opportunities that must be forgone, solely because they create an appearance of improper conduct.”⁸

“[N]o solicitation of a campaign or political contribution may be linked to an action taken or to be taken by a Member or employee in his or her official capacity.”⁹ In addition, a Member may not accept any contribution that is linked with any specific official action taken or to be taken by that Member.”¹⁰

“It is probably not wrong for the campaign managers of a legislator . . . to request contributions from those for whom the legislator has done appreciable favors, but this should never be presented as a payment for the services rendered. Moreover, the possibility of such a contribution should never be suggested by the legislator or his staff as the time the favor is done. Furthermore, a decent interval of time should be allowed to lapse so that neither party will feel that there is a close connection between the two acts. The Standards Committee has long advised Members and staff that they should always exercise caution to avoid even the appearance that solicitations of campaign con-

⁵ House Ethics Manual (2008) at 79. See also *United States v. Sun-Diamond Growers*, 526 U.S. 398, 404 (1999).

⁶ Memorandum of the Chairman and Ranking Minority Member, Recommendations for disposition of the complaint filed against Representative DeLay (“DeLay Report”). Accessed online on June 24, 2009 at <http://ethics.house.gov/Investigations/Default.aspx?Section=18>.

⁷ *Id.*

⁸ *Id.*

⁹ House Ethics Manual (2008) at 147.

¹⁰ Memorandum of the Chairman and Ranking Minority Member, Recommendations for disposition of the complaint filed against Representative DeLay. Accessed online on June 24, 2009 at <http://ethics.house.gov/Investigations/Default.aspx?Section=18> (“Ethics Committee DeLay Report”).

*tributions are connected in any way with an action taken or to be taken in their official capacity.”*¹¹

*“[A] Member should not sponsor or participate in any solicitation that offers donors any special access to the Member in the Member’s official capacity.”*¹²

*“[G]overnment officials should ‘never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not.’”*¹³

*“‘[P]ublic office is a public trust,’ and the public has a right to expect House Members and staff to exercise impartial judgment in performing their duties.”*¹⁴

24. 5 U.S.C. § 7353—Gifts to Federal Employees

“(a) Except as permitted by subsection (b), no Member of Congress . . . shall solicit or accept anything of value from a person—

(1) seeking official action from, doing business with . . . the individual’s employing entity; or

(2) whose interests may be substantially affected by the performance or nonperformance of the individual’s official duties.

(b)(1) Each supervising ethics office is authorized to issue rules or regulations implementing the provisions of this section and providing reasonable exceptions as may be appropriate.

(2)(A) Subject to subparagraph (B), a Member, officer, or employee may accept a gift pursuant to rules and regulations established by such individual’s supervising ethics office pursuant to paragraph (1)

(B) No gift may be accepted pursuant to subparagraph (A) in return for being influenced in the performance of an official act.”

25. House Ethics Manual—Soliciting Campaign and Political Contributions

While the federal gift statute (5 U.S.C. § 7353) broadly restricts the ability of

House Members and staff to solicit things of value from virtually anyone, even when no personal benefit to the solicitor is involved, legislative materials concerning the statute state that it does not apply to the solicitation of political contributions. Consistent with those materials, the Standards Committee has long taken the position that the restrictions on solicitation set forth in that statute do not apply to political solicitations. However, in soliciting campaign or political contributions, Members and staff are subject to a number of other restrictions, as follows.

A Contribution linked to an Official Action May Not Be Accepted

. . . no solicitation of a campaign or political contribution may be linked to any action taken or to be taken by a Member or employee in his or her official capacity.

In a similar vein, a Member or employee may not accept any contribution that the donor links to any official action that the

¹¹*Id.*

¹²*Id.*

¹³*Id.* at 151 (citing Code of Ethics for Government Service, § 5).

¹⁴*Id.* at 151 (citing Code of Ethics for Government Service, § 10).

Member or employee has taken, or is being asked to take. In this respect, a campaign or political contribution is treated like any other gift, and acceptance of a contribution in these circumstances may implicate a provision of the federal gift statute (5 U.S.C. § 7353) or the criminal statutes on bribery and illegal gratuities.

B. REPRESENTATIVE VISCLOSKY'S STAFF INSTRUCTED PMA CLIENTS TO SUBMIT THEIR FISCAL YEAR 2009 EARMARK REQUESTS TO HIS OFFICE BY FEBRUARY 15, 2008

26. Representative Visclosky is a member of the House Appropriations Subcommittee on Defense.

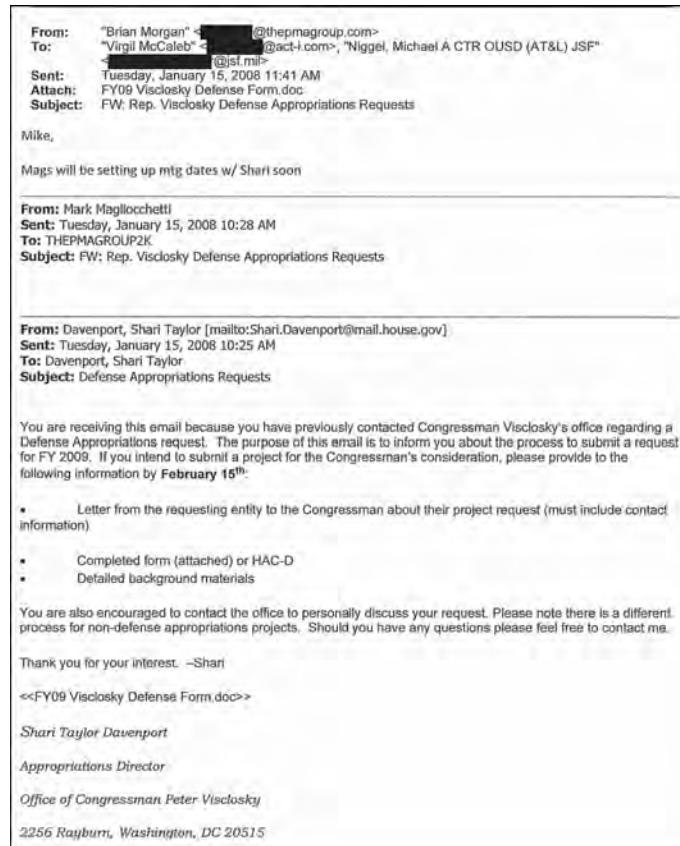
27. On January 15, 2008,¹⁵ Representative Visclosky's Appropriations Director sent an email to companies that had previously contacted the office regarding defense appropriations requests.¹⁶

28. The email notified the recipients that any defense appropriations requests must be submitted to Representative Visclosky's office by February 15, 2008.

¹⁵The Board recognizes that this email is dated prior to March 11, 2008. Nevertheless, this event is within the OCE's jurisdiction because it is directly related to Representative Visclosky's earmark requests that he submitted on March 19, 2008.

¹⁶Email from Shari Davenport to undisclosed recipients, dated January 15, 2008 (Exhibit 1 at 09-4486-2).

29. Recipients of the email included PMA, which in turn forwarded the email to its clients.¹⁷



C. REPRESENTATIVE VISCLOSKY'S CAMPAIGN SOLICITED PMA CLIENTS FOR CAMPAIGN CONTRIBUTIONS ON FEBRUARY 27, 2008

30. On February 27, 2008,¹⁸ Representative Visclosky's campaign manager sent a campaign contribution solicitation to a select group of entities. These entities were those "requesting support from Rep. Visclosky on a Defense issue."¹⁹

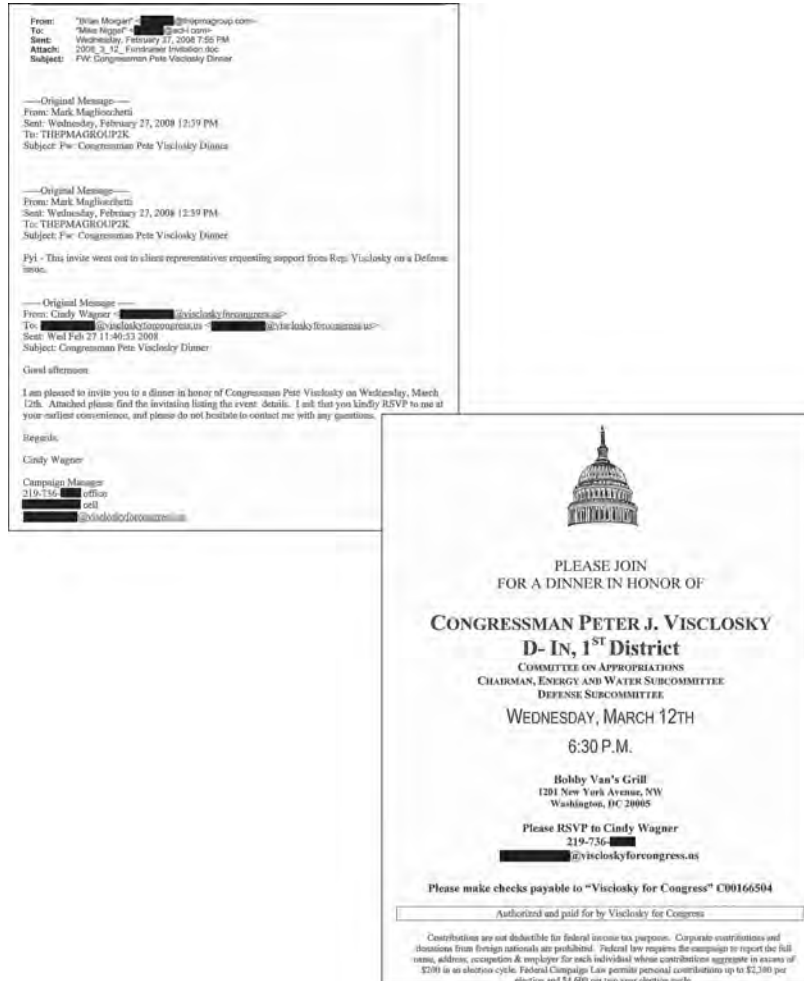
31. PMA and PMA clients received this campaign contribution solicitation.

¹⁷ *Id.*

¹⁸ The Board recognizes that this solicitation was sent prior to March 11, 2008. Nevertheless, this event is within the OCE's jurisdiction because it is directly related to Representative Visclosky's campaign fundraiser that he held on March 12, 2008.

¹⁹ Email from Brian Morgan to Mike Niggel, dated February 27, 2008 (Exhibit 2 at 09-4486-6).

32. The solicitation invited donors to attend a dinner in honor of Representative Visclosky at a restaurant in Washington, DC, on March 12, 2008.



D. REPRESENTATIVE VISCLOSKY HOSTED A FUNDRAISER SPECIFICALLY FOR PMA CLIENTS AND OTHER DEFENSE CONTRACTORS REQUESTING EARMARKS ON MARCH 12, 2008

33. On March 12, 2008, Representative Visclosky's campaign hosted the dinner in his honor.

34. The Board notes that Mark Magliocchetti, in his February 26, 2008 email to "THEPMAGROUP2K", states that the March 12th event is for "Defense" and that another Visclosky event will be held on April 16th for "E&W".²⁰ The Board infers that "E&W" refers to the Energy and Water Subcommittee of the House Appropriations Committee. Representative Visclosky is the chairman of this subcommittee and requests earmarks in the appropriations bill reported by the subcommittee.

From: "Mike Niggel" <[REDACTED]@act-i.com>
To: "Brian Morgan" <[REDACTED]@thepmagroup.com>
Sent: Tuesday, February 26, 2008 5:30 PM
Subject: RE: Rep. Visclosky Event

Thanks, I wait for flyer to send to my folks

From: Brian Morgan [mailto:[REDACTED]@thepmagroup.com]
Sent: Tuesday, February 26, 2008 4:15 PM
To: Mike Niggel
Subject: FW: Rep. Visclosky Event

From: Mark Magliocchetti
Sent: Tuesday, February 26, 2008 11:27 AM
To: THEPMAGROUP2K
Subject: Rep. Visclosky Event

The invites for the event should be sent out this week. As an FYI, the March 12 (Defense) event will be at 6:30 PM @ Bobby Van's Grille and the April 16 (E&W) event will be at Johnny's Half Shell @ 6:30 PM.

Mark Magliocchetti
 The PMA Group
 2345 Crystal Drive
 Suite 300
 Arlington, VA 22202

Phone (703) 415-[REDACTED]
 Fax (703) 415-0182

35. Representative Visclosky had a similar dinner in March 2007.²¹ A PMA client that attended the dinner in 2007 commented that the CEO of the defense contractor "was given the 'honorary' seat at the head table sitting directly adjacent to Representative Visclosky and thus given the opportunity to talk about a variety of [the company's] ongoing and proposed projects."²²

²⁰ Email from Mike Niggel to Brian Morgan, dated February 26, 2008 (Exhibit 3 at 09-4486-9).

²¹ The Board recognizes that this dinner occurred prior to March 11, 2008. Nevertheless, this is relevant because it explains what was expected to occur at the March 2008 fundraiser.

²² Email from PAC Treasurer, 21st Century Systems, Inc., to Bob Wichlinski, *et al.*, dated February 26, 2008 (Exhibit 4 at 09-4486-11).

36. The PMA client further explains to the company's employees that "this opportunity to spend more than 2 hours with the congressman and his staff (both chief of staff and defense aid) would not have been possible without your generous contributions to the member and the company's PAC."²³

From: Bill Berl [REDACTED]@21csi.com]
Sent: Thursday, March 29, 2007 9:26 AM
To: 'Bob Wichlinski'; 'Roger Meisinger'; 'Seth A Stennett'; 'Adolf Neumann'; 'Jeffrey D. Hicks'; 'Jeffrey Clark'; 'Ramón C. Montelongo, LOGCOP Program Manager'; 'Terry Schaefer'; [REDACTED]@21csi.com;
 [REDACTED]@21csi.com; 'Kevin Blenkhorn'; 'James (Kimo) Scott'; 'Mike Luginbuhl'; 'John M. Scorsine, Esq.';
 'Matt Stebbins'; 'David Andersen'; 'Dr. Plamen V. Petrov'; 'Mark Wootten'; 'Larry Jackson'
Cc: 'Bill Berl'
Subject: 21CSI PAC & Rep. Visclosky Fundraiser

Attachments: image001.jpg

All,

Last night, Jeff Hicks and I attended a dinner in support of Rep. Pete Visclosky (D-IN) who represents the district that includes our Crown Point office. Jeff was given the "honorary" seat at the head table sitting directly adjacent to Mr. Visclosky and thus was given the opportunity to talk about a variety of our ongoing and proposed projects to include MCOTTS, SubTAM, Intelligent Distributed Command and Control (IDC2), and TRACS. This opportunity to spend more than 2 hours with the congressman and his staff (both chief of staff and defense aide) would not have been possible without your generous contributions to the member and the company's PAC. I appreciate your willingness to participate in this process and to step up financially especially under such short notice. I believe your leadership in this matter will help tremendously as we continue to market the company and its technology to senior decision makers throughout the government. Please contact Jeff or me should you have any questions about the event or our intended follow on interactions with the congressman.

Bob W. – the congressman spoke very highly of you and your wide ranging efforts to improve the economic vitality in the region. Keep it up.

Bill Berl
 Treasurer
 21CSI PAC

E. REPRESENTATIVE VISCLOSKY REQUESTED EARMARKS FOR PMA CLIENTS ON MARCH 19, 2008

37. In March 2008, Representative Visclosky's campaign and Leadership PAC received campaign contributions totaling approximately \$35,300 from PMA clients. This includes contributions from the PAC of PMA clients and from employees of PMA clients. The contributions were from 21st Century Systems, Inc. (\$18,500); Advanced Concepts & Technologies Intl. (\$7,000); Planning Systems, Inc. (\$7,800); and Sierra Nevada Corporation (\$2,000).²⁴

38. During the same month, Representative Visclosky's campaign and Leadership PAC received campaign contributions totaling \$12,000 from PMA's PAC and the company's employees.

²³ *Id.*

²⁴ The contribution amounts are derived from the reports that Visclosky for Congress and Calumet PAC filed with the Federal Election Commission.

39. On March 19, 2008, Representative Visclosky requested earmarks for six PMA clients in letters to Representative David Obey, Chairman, and Representative Jerry Lewis, Ranking Member, of the House Committee on Appropriations.²⁵

<p>PETER J. VISCLOSKY 1ST DISTRICT, INDIANA</p> <p>COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE: OUTDOOR ENERGY AND WATER DEVELOPMENT FINANCIAL SERVICES</p> <p>CONGRESSIONAL STEEL CAUCUS CHAIRMAN</p> <p>U.S. HOUSE LAW ENFORCEMENT CAUCUS</p>	<p>Congress of the United States House of Representatives Washington, DC 20515-1401</p>	<p>2200 KAYAKUWA BUILDING WASHINGTON, DC 20515-1401 (202) 225-2401</p> <p>101 EAST 8000 AVENUE, SUITE 5 MERRILLVILLE, IN 46410 (317) 705-1884</p> <p>Call Toll Free 1 888 433 PETER 1 888 433 7389</p> <p>INTERNET: http://www.house.gov/pjvisclosky</p>
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March 19, 2008

The Honorable David Obey, Chairman
The Honorable Jerry Lewis, Ranking Member
Committee on Appropriations
H-218-The Capitol
Washington, D.C. 20515

Dear Chairman Obey and Ranking Member Lewis:

I am requesting funding for a **Photo Catalytic Oxidation (PCO) Demonstration for Water Reuse** in fiscal year 2009. The entity to receive funding for this project is **Advanced Concepts and Technologies International (ACT-I)**, located at:

ACT-I
9800 Connecticut Drive
Crown Point, Indiana 46410

The funding for this project will be used to develop a **prototype that will remove contaminants from drinking water through photo catalytic technology.**

I certify that neither I nor my spouse has any financial interest in this project.

Sincerely,


 Peter J. Visclosky
Member of Congress

40. The requested earmarks totaled \$14,400,000, and were allocated as follows:

- (a) 21st Century Systems, Inc., \$2,400,000;
- (b) Advanced Concepts & Technologies Intl., \$2,400,000;
- (c) General Atomics, \$2,400,000;
- (d) NuVant Systems, Inc., \$2,400,000;
- (e) Planning Systems Inc., \$2,400,000; and
- (f) Profile Systems, \$2,400,000.²⁶

41. The Board notes that the evidence above is primarily relevant to the allegation that Representative Visclosky solicited or accepted contributions in a manner which gave the appearance that the contributions were linked to an official act. In addition, the evidence is relevant to the allegation that Representative Visclosky solicited or accepted contributions in exchange for or because of an official act (*i.e.*, the allegations concerning bribery and illegal

²⁵ For example, Letter from Representative Peter J. Visclosky to Representative David Obey, Chairman, and Representative Jerry Lewis, Ranking Member, of the House Committee on Appropriations, dated March 19, 2008 (Exhibit 5 at 09-4486-13).

²⁶ H.R. 2638, Pub. L. 110-329 (2009).

gratuities). However, because the OCE was unable to interview Representative Visclosky and his staff, the evidence is incomplete as to whether he in fact solicited or accepted contributions in exchange for or because of the earmark requests. As explained in Part III, below, the Board finds that the available evidence establishes that there is probable cause to believe that Representative Visclosky solicited or accepted contributions in exchange for or because of an official act.

F. PMA CLIENTS' PERCEPTIONS OF LINK BETWEEN CAMPAIGN
CONTRIBUTIONS AND EARMARK REQUESTS

42. The OCE has acquired evidence that PMA clients seeking earmarks from Representative Visclosky linked contributions to his campaign to specific legislative acts.

43. However, whether these documents or the information in the documents was shared with Representative Visclosky because he declined to interview with the OCE.

44. 21st Century Systems, Inc. created a table of “Proposed CY2008” campaign contributions, which indicates the proposed contribution that the PAC will make followed by the “possible program”, which is an earmark that Representative Visclosky requested for fiscal year 2009.²⁷

<i>State/Member (Re-election Year)</i>	<i>Contributions Made this Cycle*</i>	<i>Proposed CY08 Contribution</i>	<i>Possible Programs</i>
Indiana			
Visclosky**	-	4,600	IDC2
Visclosky PAC	-	5,000	IDC2

²⁷ 21st Century Systems, Inc. Proposed CY 2008 Congressional Campaign Contributions (Exhibit 6 at 09-4486-15).

45. The Vice President of another company justifies a \$20,000 contribution to Representative Visclosky because “[w]e have gotten over 10M in adds from him.”²⁸

From: Dave Klingler
Sent: Friday, February 23, 2007 9:42 AM
To: John Campbell <[REDACTED]@JCampbellinc.com>
Subject: Re: Contributions requirement for remainder of CY07

That's what each of the companies working with PMA and Visclosky have been asked to contribute. He has been a good supporter of SNC. We have gotten over 10M in adds from him. Let me know if we need to discuss further.

----- Original Message -----
From: John Campbell [REDACTED]@JCampbellinc.com]
Sent: 02/23/2007 04:17 AM
To: Dave Klingler
Cc: Renee Velasco; Chuck Litz
Subject: FW: Contributions requirement for remainder of CY07

Dave: Can you give me some justification for giving \$20K to Visclosky?
 John

²⁸ Email from Vice President, Sierra Nevada Corporation, to John Campbell, dated February 23, 2007 (Exhibit 7 at 09-4486-18). The Board recognizes that this email is dated prior to March 11, 2008. Nevertheless, this is instructive as to the state of mind of the PMA client when it contributed to Representative Visclosky in 2008 with a pending earmark request for fiscal year 2009.

46. The federal gift statute, 5 U.S.C. § 7353, prohibits the solicitation or acceptance of anything of value from a person seeking official action from or doing business with the House, or from someone whose interests may be substantially affected by the performance or nonperformance of a Member's, Officer's or staff member's official duties. The statute also provides that the Committee on Standards of Official Conduct may enact reasonable exceptions to the prohibition. According to the Ethics Manual, the Standards Committee has long taken the position that the restrictions on solicitation set forth in the statute do not apply to political solicitations. However, Members and staff are subject to a number of other restrictions regarding the solicitation of campaign or political contributions under the rules of the House.

47. Under House rules, a Member or employee may not accept any contribution that the donor links to any official action that the Member or employee has taken, or is being asked to take. If a donor's contribution is linked to any official action, it is treated like any other gift and may be subject as such to the federal gift statute and the criminal statutes on bribery and illegal gratuities.

48. The Board notes that the examples provided in the Ethics Manual of instances where a Member may be in violation of the House's rule against accepting a contribution linked to an official action are all instances in which the Member has some degree of knowledge of the link. As a result, it stands to reason that it is unlikely a violation of the rule could occur unless and until a Member is aware of the link and does nothing to remedy the situation.

49. The Board notes that because the OCE was unable to interview Representative Visclosky or his staff, the Board is unable to conclude whether the Member was aware or not that the donor linked the contribution to an official act.

III. CONCLUSION

50. According to the Committee on Standards of Official Conduct ("Standards Committee"), a "Member should not participate in a fundraising event that gives even the appearance that special treatment or special access to the Member in his or her official capacity is being provided to donors."²⁹

51. Specifically, the Standards Committee has found that a Member's fundraising efforts warranted a letter of admonition because of factors including: (1) the "timing of the fundraiser" before pending legislation; (2) the "limited number of attendees" at the fundraiser; and (3) the "presence at the fundraiser of two key staff members from [The Member's office]".³⁰

52. Based on the information available to the OCE, Representative Visclosky's actions in March 2008 were similar to those that the Ethics Committee admonished in the past because: (1) the timing of the fundraiser was one week before he took official action on behalf of the donors; (2) the attendees at the fundraiser were limited to defense contractors with pending earmark requests before the Representative Visclosky; and (3) Representative Visclosky's Chief of Staff and Appropriations Director attended the fundraiser.

²⁹ Ethics Committee DeLay Report at 15.

³⁰ *Id.*

53. Also, the documents the OCE obtained through its investigation show that PMA clients perceived a connection between appropriations requests and campaign contributions to Representative Visclosky. Without further information that can only be obtained through witness interviews with Representative Visclosky, the OCE cannot fully assess his role in or knowledge of what appears to be the linking of contributions to the receipt of earmarks.

54. The Board recognizes that it does not have all of the information necessary to make a determination of whether there is substantial reason to believe that a violation occurred because Representative Visclosky, his former Chief of Staff, and his former Appropriations Director, have declined to interview with the OCE.

55. However, the Board finds that there is probable cause to believe that Representative Visclosky solicited or accepted contributions or other items of value in exchange for or because of an official act, or solicited or accepted contributions or other items of value in a manner which gave the appearance that the contributions were linked to an official act.

56. For these reasons, the Board recommends that the Standards Committee further review the above described allegations concerning Representative Visclosky.

IV. INFORMATION THE OCE WAS UNABLE TO OBTAIN AND RECOMMENDATIONS FOR THE ISSUANCE OF SUBPOENAS

57. In every instance the OCE asked the recipient of an OCE request for information to identify any information they withheld and the reason they were withholding it. However, absent the authority to subpoena the evidence in possession of the witness, it is impossible for the OCE to verify if information was withheld, but not documented.

58. In some instances documents were redacted or specific information was not provided. For instance, DRS Technologies provided evidence responsive to OCE's Request for Information but indicated they would not provide any information regarding their "Legislative Strategy."

59. In at least one instance, the OCE had reason to believe that a witness withheld information requested, but did not comply with the OCE's request that they identify what was being withheld. Specifically, Boeing Corporation represented that they had fully cooperated. However, Boeing Corporation indicated that they had no electronic mail responsive to OCE's Request for Information. The OCE then received, from another source, electronic mail to and from Boeing Corporation that were in fact responsive to OCE's request.

60. The Board also notes that while the OCE was able to interview six former employees of PMA that provided general information on PMA and its business practices, many remaining former employees refused to consent to interviews. In addition, the OCE was unable to obtain any evidence within PMA's possession.

61. Representative Visclosky declined to provide the OCE with an interview. Representative Visclosky produced documents in response to the OCE's request for information. However, the documents primarily consisted of earmark requests submitted to the Member's office without any clear explanation of how Representa-

tive Visclosky and his staff determined which requests that the Member supported. In addition, the documents included information from Representative Visclosky's campaign, much of which is publically available from the Federal Election Commission.

62. Representative Visclosky's former Chief of Staff, Chuck Brimmer, and his former Appropriations Director, Shari Davenport, declined an interview with the OCE.

63. The Board makes the recommendation contained in this referral based on the factual record before it. The Board recommends the issuance of subpoenas.

EXHIBIT 1

From: "Brian Morgan" <[REDACTED]@thepmagroup.com>
To: "Virgil McCaleb" <[REDACTED]@act-i.com>; "Niggel, Michael A CTR OUSD (AT&L) JSF" <[REDACTED]@sf.mil>
Sent: Tuesday, January 15, 2008 11:41 AM
Attach: FY09 Visclosky Defense Form.doc
Subject: FW: Rep. Visclosky Defense Appropriations Requests

Mike,

Mags will be setting up mtg dates w/ Shari soon

From: Mark Magliocchetti
Sent: Tuesday, January 15, 2008 10:28 AM
To: THEPMAGROUP2K
Subject: FW: Rep. Visclosky Defense Appropriations Requests

From: Davenport, Shari Taylor [mailto:Shari.Davenport@mail.house.gov]
Sent: Tuesday, January 15, 2008 10:25 AM
To: Davenport, Shari Taylor
Subject: Defense Appropriations Requests

You are receiving this email because you have previously contacted Congressman Visclosky's office regarding a Defense Appropriations request. The purpose of this email is to inform you about the process to submit a request for FY 2009. If you intend to submit a project for the Congressman's consideration, please provide to the following information by **February 15th**:

- Letter from the requesting entity to the Congressman about their project request (must include contact information)
- Completed form (attached) or HAC-D
- Detailed background materials

You are also encouraged to contact the office to personally discuss your request. Please note there is a different process for non-defense appropriations projects. Should you have any questions please feel free to contact me.

Thank you for your interest. –Shari

<<FY09 Visclosky Defense Form.doc>>

Shari Taylor Davenport

Appropriations Director

Office of Congressman Peter Visclosky

2256 Rayburn, Washington, DC 20515

ACT I-000089

6/3/2009
09-4486-2

(202) 225- [REDACTED]

ACT I-000090

6/3/2009
09-4486-3

House Appropriations, Subcommittee on Defense
 (All Fields are Required for Project Consideration. One Project Request per Page)

Member's Office: Congressman Peter J. Visclosky
Staff Contact: Shari Taylor Davenport
Phone Number: 202-225-████

Service/Component:

Appropriation Account (provide only one):

2009 Budget Line Title (from DoD Program Justification Materials: M1, O1, P1, or R1):

Provide only one of the following:

<u>Military Personnel, O&M</u>	<u>Procurement</u>	<u>RDTE</u>	<u>Intel</u>
Budget Activity #: _____	P-1 Line _____	R-1 Line Number: _____	MIP/ _____
Sub-activity ID #: _____	Number: _____	PE #: _____	NIP _____

Name of Project Requested:

Program Description (must include a clear description of military requirement and no longer than 250 characters):

Benefit to DoD (no longer than 250 characters):

<u>Congressional Funding History:</u>	<u>FY 2008</u>	<u>FY 2007</u>	<u>FY 2006</u>	<u>FY 2005</u>	<u>FY 2004</u>

DoD Supporting Program Manager/Agency (office contact information):

FY 2009 Budget Amount (if applicable):

Your FY 2009 Request (attach bill/report lang if applicable):

Contact information of requesting entity (name, address, phone):

ACT I-000091

EXHIBIT 2

From: "Brian Morgan" <[REDACTED]@thepmagroup.com>
To: "Mike Niggel" <[REDACTED]@act-i.com>
Sent: Wednesday, February 27, 2008 7:55 PM
Attach: 2008_3_12_Fundraiser Invitation.doc
Subject: FW: Congressman Pete Visclosky Dinner

-----Original Message-----

From: Mark Magliocchetti
 Sent: Wednesday, February 27, 2008 12:39 PM
 To: THEPMAGROUP2K
 Subject: Fw: Congressman Pete Visclosky Dinner

-----Original Message-----

From: Mark Magliocchetti
 Sent: Wednesday, February 27, 2008 12:39 PM
 To: THEPMAGROUP2K
 Subject: Fw: Congressman Pete Visclosky Dinner

Fyi - This invite went out to client representatives requesting support from Rep. Visclosky on a Defense issue.

----- Original Message -----

From: Cindy Wagner <[REDACTED]@viscloskyforcongress.us>
 To: [REDACTED]@viscloskyforcongress.us <[REDACTED]@viscloskyforcongress.us>
 Sent: Wed Feb 27 11:40:53 2008
 Subject: Congressman Pete Visclosky Dinner

Good afternoon.

I am pleased to invite you to a dinner in honor of Congressman Pete Visclosky on Wednesday, March 12th. Attached please find the invitation listing the event details. I ask that you kindly RSVP to me at your earliest convenience, and please do not hesitate to contact me with any questions.

Regards,

Cindy Wagner

Campaign Manager
 219-736-[REDACTED] office
 [REDACTED] cell
 [REDACTED]@viscloskyforcongress.us

ACT I-000111

6/3/2009
 09-4486-6



PLEASE JOIN
FOR A DINNER IN HONOR OF

CONGRESSMAN PETER J. VISCLOSKY

D- IN, 1ST District

COMMITTEE ON APPROPRIATIONS
CHAIRMAN, ENERGY AND WATER SUBCOMMITTEE
DEFENSE SUBCOMMITTEE

WEDNESDAY, MARCH 12TH

6:30 P.M.

Bobby Van's Grill
1201 New York Avenue, NW
Washington, DC 20005

Please RSVP to Cindy Wagner
219-736-
@viscloskyforcongress.us

Please make checks payable to "Visclosky for Congress" C00166504

Authorized and paid for by Visclosky for Congress

Contributions are not deductible for federal income tax purposes. Corporate contributions and donations from foreign nationals are prohibited. Federal law requires the campaign to report the full name, address, occupation & employer for each individual whose contributions aggregate in excess of \$200 in an election cycle. Federal Campaign Law permits personal contributions up to \$2,300 per election and \$4,600 per two year election cycle.

ACT I-000112

EXHIBIT 3

From: "Mike Niggel" <[REDACTED]@act-i.com>
To: "Brian Morgan" <[REDACTED]@thepmagroup.com>
Sent: Tuesday, February 26, 2008 5:30 PM
Subject: RE: Rep. Visclosky Event

Thanks, I wait for flyer to send to my folks

From: Brian Morgan [mailto:[REDACTED]@thepmagroup.com]
Sent: Tuesday, February 26, 2008 4:15 PM
To: Mike Niggel
Subject: FW: Rep. Visclosky Event

From: Mark Magliocchetti
Sent: Tuesday, February 26, 2008 11:27 AM
To: THEPMAGROUP2K
Subject: Rep. Visclosky Event

The invites for the event should be sent out this week. As an FYI, the March 12 (Defense) event will be at 6:30 PM @ Bobby Van's Grille and the April 16 (E&W) event will be at Johnny's Half Shell @ 6:30 PM.

Mark Magliocchetti
The PMA Group
2345 Crystal Drive
Suite 300
Arlington, VA 22202

Phone (703) 415- [REDACTED]
Fax (703) 415-0182

This e-mail (including any attachments) is intended for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential, or otherwise protected by applicable law. If the reader of this e-mail is not the intended recipient or the employee or agent responsible for delivering the e-mail to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this e-mail or its contents is strictly prohibited. If you have received this e-mail in error, please notify us immediately by replying to this message, and please destroy all copies of this e-mail.

ACT I-000107

6/3/2009
09-4486-9

EXHIBIT 4

From: Bill Berl [REDACTED]@21csi.com]
Sent: Thursday, March 29, 2007 9:26 AM
To: 'Bob Wichlinski'; 'Roger Meisinger'; 'Seth A Stennett'; 'Adolf Neumann'; 'Jeffrey D. Hicks'; 'Jeffrey Clark'; 'Ramón C. Montelongo, LOGCOP Program Manager'; 'Terry Schaefer'; [REDACTED]@21csi.com; [REDACTED]@21csi.com; 'Kevin Blenkhorn'; 'James (Kimo) Scott'; 'Mike Luginbuhl'; 'John M. Scorsine, Esq.'; 'Matt Stebbins'; 'David Andersen'; 'Dr. Plamen V. Petrov'; 'Mark Wootten'; 'Larry Jackson'
Cc: 'Bill Berl'
Subject: 21CSI PAC & Rep. Visclosky Fundraiser

Attachments: image001.jpg

All,
 Last night, Jeff Hicks and I attended a dinner in support of Rep. Pete Visclosky (D-IN) who represents the district that includes our Crown Point office. Jeff was given the "honorary" seat at the head table sitting directly adjacent to Mr. Visclosky and thus was given the opportunity to talk about a variety of our ongoing and proposed projects to include MCOTTS, SubTAM, Intelligent Distributed Command and Control (IDC2), and TRACS. This opportunity to spend more than 2 hours with the congressman and his staff (both chief of staff and defense aide) would not have been possible without your generous contributions to the member and the company's PAC. I appreciate your willingness to participate in this process and to step up financially especially under such short notice. I believe your leadership in this matter will help tremendously as we continue to market the company and its technology to senior decision makers throughout the government. Please contact Jeff or me should you have any questions about the event or our intended follow on interactions with the congressman.

Bob W. – the congressman spoke very highly of you and your wide ranging efforts to improve the economic vitality in the region. Keep it up.

Bill Berl
 Treasurer
 21CSI PAC



CONFIDENTIAL

09-4486-11
 21CSI-OCE00000371

EXHIBIT 5

PETER J. VISCLOSKY
1ST DISTRICT, INDIANA
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES:
DEFENSE
ENERGY AND WATER DEVELOPMENT
FINANCIAL SERVICES
CONGRESSIONAL STEEL CAUCUS
CHAIRMAN
U.S. HOUSE LAW ENFORCEMENT
CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515-1401

2266 RAYBURN BUILDING
WASHINGTON, DC 20515-1401
202.225-2461
701 EAST GARD AVENUE, SUITE B
MERRILLVILLE, IN 46410
(219) 795-1844
Café Tail Free
1 888 433 PETE
1 888 423 7583
INTERNET:
<http://www.house.gov/visclosky/>

March 19, 2008

The Honorable David Obey, Chairman
The Honorable Jerry Lewis, Ranking Member
Committee on Appropriations
H-218-The Capitol
Washington, D.C. 20515

Dear Chairman Obey and Ranking Member Lewis:


I am requesting funding for a **Photo Catalytic Oxidation (PCO) Demonstration for Water Reuse** in fiscal year 2009. The entity to receive funding for this project is **Advanced Concepts and Technologies International (ACT-I)**, located at:

ACT-I
9800 Connecticut Drive
Crown Point, Indiana 46410

The funding for this project will be used to develop a **prototype that will remove contaminants from drinking water through photo catalytic technology.**

I certify that neither I nor my spouse has any financial interest in this project.

Sincerely,


Peter J. Visclosky
Member of Congress

PJV:sd

EXHIBIT 6

*Proposed CY2008
Congressional Campaign Contributions*

[illegible]

	Unprogrammed	5,000	
	Carry Over	5,000	
	Grand Total	44,600	

- * A "cycle" differs between House members and Senators.
- For House members, cycle = 2 years (2007 & 2008)
 - For Senators, a cycle = their 6 year term which is staggered. (Recall that 1/3 of the Senate is up for re-election every 2 years.
 - Maximum contributions allowed:
 - \$4600/cycle for Member/Senator's re-election campaign
 - \$5000/calendar year for Member's leadership PAC
- ** Anticipate single fundraiser event ~\$20K

EXHIBIT 7

From: Dave Klingler
Sent: Friday, February 23, 2007 9:42 AM
To: John Campbell <[REDACTED]@JCampbellinc.com>
Subject: Re: Contributions requirement for remainder of CY07

That's what each of the companies working with PMA and Visclosky have been asked to contribute. He has been a good supporter of SNC. We have gotten over 10M in adds from him. Let me know if we need to discuss further.

----- Original Message -----
From: John Campbell <[REDACTED]@JCampbellinc.com>
Sent: 02/23/2007 04:17 AM
To: Dave Klingler
Cc: Renee Velasco; Chuck Litz
Subject: FW: Contributions requirement for remainder of CY07

Dave: Can you give me some justification for giving \$20K to Visclosky?
 John

----- Forwarded Message
From: John Campbell <[REDACTED]@JCampbellinc.com>
Date: Thu, 22 Feb 2007 17:13:12 -0500
To: Dave Klingler <[REDACTED]@sncorp.com>
Conversation: Contributions requirement for remainder of CY07
Subject: Re: Contributions requirement for remainder of CY07

Dave: Sorry. Thanks for sending it again. John

on 2/22/07 2:45 PM, Dave Klingler at [REDACTED]@sncorp.com wrote:

> Hi John,
 >
 > Here it is. I send it out back in January but I think you were having
 > e-mail issues and it might not have gotten thru to you. Let me know if
 > you need anything else.
 >
 > Thanks,
 >
 > Dave
 >
 >
 >
 >

> Dave Klingler/SNC/SNCorp
 > 01/23/2007 09:57 AM
 >
 > To
 > Renee Velasco <[REDACTED]@sncorp>
 > cc
 > [REDACTED]@jcampbellinc.com
 > Subject
 > PAC Plan
 >
 >
 >
 >
 > Hi Renee,
 >
 > Tis' the fundraiser season again. Here is the PAC plan supporting our
 > FY08 pursuits. Note we have Visclosky and Murtha events coming up
 > quickly.
 >
 > Visclosky \$20K 28 March (I suggest \$5K PAC to Visclosky for
 > Congress, \$5K PAC to Calumet PAC, \$10K of personal from Fatih, Eren and
 > SVO)
 > Murtha \$10K 28 Feb (\$5K PAC to Majority PAC) / 1 Mar (\$5K PAC
 > to Murtha for Congress)
 > Feinstein \$5K
 > Hobson \$5K
 > Matsui \$2.5K
 > Campbell \$2K
 > Pelosi \$2K
 > Other \$2K
 >
 > Dave
 >
 >
 >
 >
 >
 >
 > John Campbell <[REDACTED]@JCampbellinc.com>
 > 02/21/2007 10:36 AM
 >
 > To
 > Dave Klingler <[REDACTED]@sncorp.com>
 > cc
 > Renee Velasco <[REDACTED]@sncorp.com>, Chuck Litz
 > <[REDACTED]@sncorp.com>
 > Subject
 > Contributions requirement for remainder of CY07
 >
 >
 >
 >

>
 >
 > Dave:
 >
 > I am trying to assist Renee, Eren and Fatih to get our arms around what we
 > think the requirement will be for contributions for the rest of the CY.
 >
 > I support the amounts you have recommended in your email of 2/14, but
 > could
 > you put together what you believe that SNC (PAC and other contributions
 > combined) should contribute for the rest of the year with an eye toward
 > supporting PMA.
 >
 > Thanks
 >
 > John Campbell
 >
 >
 >
 >

----- End of Forwarded Message

